UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

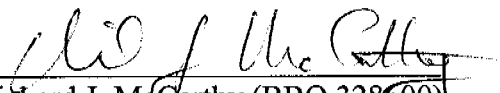|	
DIRECT REPORT CORPORATION d/b/a SHAREHOLDER.COM, Plaintiff, v. CCBN.COM, INC., THE THOMSON CORPORATION, JOHN DOES 1 THROUGH 5, AND JANE DOES 1 THROUGH 5, Defendants.	Civil Action No. 04-10535-PBS

WITNESS ROBERT ADLER'S OPPOSITION TO PLAINTIFF'S EMERGENCY MOTION FOR CONTEMPT AND/OR DISCOVERY SANCTIONS AND TO COMPEL ADLER'S DEPOSITION

Nonparty witness Robert Adler ("Adler") hereby opposes what Plaintiff Direct Report Corporation d/b/a Shareholder.com ("Shareholder") has termed an "Emergency Motion for Contempt and/or Discovery Sanctions and to Compel the Deposition of Robert Adler." As set forth more fully in a supporting memorandum, Shareholder's counsel filed this motion without first fulfilling their obligations under Local Rules 7.1A(2) and 37.1 and Fed. R. Civ. P. 37(a)(2) to confer with Adler's counsel in an effort to resolve or narrow the areas of dispute. For this reason alone, Shareholder's motion should be denied, and Shareholder should be sanctioned. Moreover, there is simply no merit to Shareholder's substantive claims, as Adler has fully complied with this Court's prior Order and will readily sit for a deposition once a dispute regarding his Fifth Amendment rights is resolved.

WHEREFORE, Adler respectfully requests that this Court deny Shareholder's motion in its entirety and sanction Shareholder for its failure to comply with Local Rules 7.1(A) and 37.1, and Fed. R. Civ. P. 37(a).

ROBERT ADLER,

By his attorneys,

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January 11, 2005

CERTIFICATE OF SERVICE

I certify that on this 11th day of January, 2005, I caused a copy of the foregoing to be delivered to John Bennett, Palmer & Dodge LLP, 111 Huntington Avenue at Prudential Center, Boston, MA 02199-7613, and Anthony S. Fiotto, Goodwin Procter LLP, Exchange Place, Boston, MA 02109 by hand.

Mark B. Dubnoff